



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Article Number: 7015 3010 0000 7503 8440

Mr. Ken Valt, Road Superintendent
Department of Public Works
Borough of Prospect Park
162 N. 13th Street
Prospect Park, New Jersey 07508

Re: **Request for Information (RFI) Pursuant to Section 308 of the Clean Water Act**
Docket No. CWA-IR-16-020
Sanitary Sewer System Compliance Evaluation Inspection
Borough of Prospect Park Sanitary Sewer System
NJPDES Tracking ID No. NJP000155

Dear Mr. Valt:

As part of a joint effort between the United States Environmental Protection Agency ("EPA") and the New Jersey Department of Environmental Protection ("NJDEP") to ensure that the discharge of sanitary sewage is minimized, we conducted a Sanitary Sewer System ("SSS") Compliance Evaluation Inspection ("CEI") of the Borough of Prospect Park system on April 12, 2016. Enclosed is a copy of the CEI report detailing EPA's findings.

The EPA is charged with the protection of human health and the environment under the Clean Water Act ("CWA" or "Act"), 33 U.S.C. §§ 1251 *et seq.* Section 308(a) of the CWA, 33 U.S.C. § 1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. § 1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility and its related appurtenances.

Within **thirty (30) calendar days** of receipt of this RFI, the Borough is hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), to submit to EPA a detailed written summary of the steps the Borough has taken or will take to address each of the **Potential N.J.A.C. Non-Compliance and Areas of Concern/Recommendations** detailed in the enclosed CEI Report.

All information required to be submitted by this Request for Information shall be sent by certified mail or its equivalent to the following address:

Douglas McKenna, Chief
Water Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency – Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Internet Address (URL) • <http://www.epa.gov>

Any documents to be submitted by the Borough must be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 C.F.R. § 122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitted false information, including the possibility of fine and imprisonment for knowing violations."

Failure to provide the required information may subject the Borough to civil/criminal penalties pursuant to Section 309 of the CWA. Failure to comply with the RFI shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans.

Additionally, further guidance and information concerning the control of Sanitary Sewer Overflows ("SSOs") may be found by accessing the following EPA web site: <https://www.epa.gov/npdes/sanitary-sewer-overflows-ssos>.

If you have any questions, please feel free to contact Ms. Kimberly McEathron, of my staff, at (212) 637-4228 or via email at mceathron.kimberly@epa.gov.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'D. McKenna', with a long horizontal flourish extending to the right.

Douglas McKenna, Chief
Water Compliance Branch

w/enclosures

cc: Marcedius Jameson, NJDEP
Mohamed T. Khairullah, Mayor, Borough of Prospect Park
Melissa Hornsby, NJDEP (Melissa.Hornsby@dep.nj.gov)
Rich Paull, NJDEP (Rich.Paull@dep.nj.gov)
Theophilus Ashie, NJDEP (Theophilus.Ashie@dep.nj.gov)
Bridget McKenna, PVSC (BMcKenna@PVSC.com)

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

[illegible]

Section B: Facility Data

| | | |
|--|--|------------------------|
| Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Borough of Prospect Park 162 N. 13th Street Prospect Park, NJ 07508 | Entry Time/Date 9:00 AM / 04/12/2016 | Permit Effective Date |
| | Exit Time/Date 11:00 AM / 04/12/2016 | Permit Expiration Date |
| Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Ken Valt, Superintendent, Prospect Park DPW Borough of Prospect Park 162 N. 13th Street Prospect Park, NJ 07508 Phone: (973) 790-6654 | Other Facility Data (e.g., SIC NAICS, and other descriptive information) | |
| Name, Address of Responsible Official/Title/Phone and Fax Number Ken Valt, Superintendent, Prospect Park DPW Borough of Prospect Park 162 N. 13th Street Prospect Park, NJ 07508 Phone: (973) 790-6654 | | |

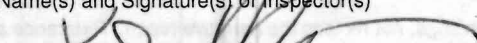

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

| | | | | | | | |
|-------------------------------------|---------------------------|-------------------------------------|--------------------------|-------------------------------------|-------------------------|--------------------------|-----|
| <input type="checkbox"/> | Permit | <input type="checkbox"/> | Self-Monitoring Program | <input type="checkbox"/> | Pretreatment | <input type="checkbox"/> | MS4 |
| <input type="checkbox"/> | Records/Reports | <input type="checkbox"/> | Compliance Schedules | <input type="checkbox"/> | Pollution Prevention | <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> | Facility Site Review | <input type="checkbox"/> | Laboratory | <input type="checkbox"/> | Storm Water | <input type="checkbox"/> | |
| <input type="checkbox"/> | Effluent/Receiving Waters | <input checked="" type="checkbox"/> | Operations & Maintenance | <input type="checkbox"/> | Combined Sewer Overflow | <input type="checkbox"/> | |
| <input type="checkbox"/> | Flow Measurement | <input type="checkbox"/> | Sludge Handling/Disposal | <input checked="" type="checkbox"/> | Sanitary Sewer Overflow | <input type="checkbox"/> | |

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

| SEV Codes | SEV Description |
|--|-----------------|
| <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
| <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | |
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| | | |
|---|-------------------------------------|-----------|
| Name(s) and Signature(s) of Inspector(s) | Agency/Office/Phone and Fax Numbers | Date |
|  | USEPA/DECA-WCB/212-637-4228 | 6/23/2016 |
| | | |
| | | |
| Signature of Management Q A Reviewer | Agency/Office/Phone and Fax Numbers | Date |
|  | USEPA/DECA-WCB/212-637-3950 | 6/23/16 |

INSTRUCTIONS

Section A: National Data System Coding (i.e., PCS)

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. (Use the Remarks columns to record the State permit number, if necessary.)

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

| | | | | | |
|---|--------------------------------------|----|--|---|---|
| A | Performance Audit | U | IU Inspection with Pretreatment Audit | ! | Pretreatment Compliance (Oversight) |
| B | Compliance Biomonitoring | X | Toxics Inspection | @ | Follow-up (enforcement) |
| C | Compliance Evaluation (non-sampling) | Z | Sludge - Biosolids | { | Storm Water-Construction-Sampling |
| D | Diagnostic | # | Combined Sewer Overflow-Sampling | } | Storm Water-Construction-Non-Sampling |
| F | Pretreatment (Follow-up) | \$ | Combined Sewer Overflow-Non-Sampling | : | Storm Water-Non-Construction-Sampling |
| G | Pretreatment (Audit) | + | Sanitary Sewer Overflow-Sampling | ~ | Storm Water-Non-Construction-Non-Sampling |
| I | Industrial User (IU) Inspection | & | Sanitary Sewer Overflow-Non-Sampling | < | Storm Water-MS4-Sampling |
| J | Complaints | \ | CAFO-Sampling | - | Storm Water-MS4-Non-Sampling |
| M | Multimedia | = | CAFO-Non-Sampling | > | Storm Water-MS4-Audit |
| N | Spill | 2 | IU Sampling Inspection | | |
| O | Compliance Evaluation (Oversight) | 3 | IU Non-Sampling Inspection | | |
| P | Pretreatment Compliance Inspection | 4 | IU Toxics Inspection | | |
| R | Reconnaissance | 5 | IU Sampling Inspection with Pretreatment | | |
| S | Compliance Sampling | 6 | IU Non-Sampling Inspection with Pretreatment | | |
| | | 7 | IU Toxics with Pretreatment | | |

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

| | | | |
|---|-------------------------------------|---|--|
| A | State (Contractor) | O | Other Inspectors, Federal/EPA (Specify in Remarks columns) |
| B | EPA (Contractor) | P | Other Inspectors, State (Specify in Remarks columns) |
| E | Corps of Engineers | R | EPA Regional Inspector |
| J | Joint EPA/State Inspectors—EPA Lead | S | State Inspector |
| L | Local Health Department (State) | T | Joint State/EPA Inspectors—State lead |
| N | NEIC Inspectors | | |

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 — Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 — Federal. Facilities identified as Federal by the EPA Regional Office.
- 5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2, DECA-WCB
20th Floor, 290 Broadway, NY, NY 10007

SANITARY SEWER SYSTEM
COMPLIANCE EVALUATION INSPECTION REPORT

| | |
|---|---|
| Compliance Evaluation Inspection: Borough of Prospect Park SSS | |
| Inspection Date: April 12, 2016 | |
| Inspection Time: 9:00 AM – 11:00 AM | |
| EPA Inspector: Kimberly McEathron, Physical Scientist, USEPA Region 2, (212) 637-4228 | |
| Borough Representatives: Ken Valt, Road Superintendent, Prospect Park DPW, (973) 790-6654; and Allen Del Vecchio, Contracted Licensed Operator, (973) 956-8644 | |
| Site Information: | Borough of Prospect Park 162 N. 13 th Street Prospect Park, New Jersey 07508 NJPDES Tracking ID No. NJP000155 |

I. Background and Findings

Collection System:

1. The Passaic Valley Sewerage Commission (PVSC) Wastewater Treatment Plant (WWTP), New Jersey Department of Environmental Protection (NJDEP) New Jersey Pollutant Discharge Elimination System (NJPDES) No. NJ0021016, is a large sized Publicly Owned Treatment Works (POTW).
2. The PVSC WWTP treats separate sanitary sewage from the Borough of Prospect Park ("Prospect Park" or "Borough").
3. The PVSC and the Borough have an intermunicipal agreement dated June 1, 1917 regarding the conveyance and treatment of sanitary sewage.
4. Downstream from the Borough, the Borough's sanitary sewage flow combines with sanitary sewage from North Haledon at the PVSC owned and operated pump station and enters the PVSC owned and operated regulator structure located on Short Street in the City of Paterson. The City of Paterson combined sewage flow also enters this regulator structure from a different pipe connection. Sewage overflows travel from PVSC's regulator structure and discharge to the Passaic River via the City of Paterson Short Street Combined Sewage Overflow (CSO) Outfall (022) (NJPDES No. NJ0105023).

5. The Borough and the City of Paterson have an intermunicipal agreement dated December 28, 1916 regarding the connection and conveyance of sanitary sewage.
6. According to the Borough representative, there are approximately nine (9) houses in the City of Paterson (on Hopper Street) and approximately five (5) houses in the Borough of Haledon (on Haledon Avenue) which are connected to the Borough's SSS.
7. The total Borough population is approximately 6,500 residents with all residences connected to the sanitary sewer, according to the Borough representative. According to the Borough representative, the Borough land area is approximately 99% residential.
8. The Borough Sanitary Sewer System (SSS) consists of separate sanitary sewers with approximately 152 manholes.
9. According to the Borough representative, the Borough SSS was originally constructed in approximately 1931 and the majority of the pipes are composed of clay tile piping.
10. The Borough SSS maps provided at the time of the inspection were original drawings on transparent plastic dated January 1944.
11. According to the Borough representatives, Mr. Allen Del Vecchio is the Licensed Operator of the collection system and has been for approximately two (2) years. Prior to this, the Borough did not have a licensed operator for the collection system.

Pump Stations:

12. The Borough does not operate or maintain any pump stations in the SSS.

Flow Metering and Billing:

13. PVSC bills the Borough based on metered sanitary sewage flow rates on a quarterly basis.
14. The Borough does not own or operate flow meters within the SSS. The Borough has the ability to document flow based on flow rates provided by PVSC in its billing records but does not currently do so.
15. According to flow records provided by PVSC to EPA, the Borough averaged approximately 0.48 MGD between October 2014 and September 2015.

SSO Discharges / Spills:

16. According to Borough representatives, the Borough has not experienced any Sanitary Sewer Overflows (SSOs) or spills in the past five (5) years within the collection system.
17. At the time of the inspection, the Borough did not have a written procedure for the response and reporting of sanitary sewer overflows and spills. According to Borough representatives,

in the event of an SSO or spill the Borough would call the Licensed Operator who would then contact NJDEP and the board of health.

18. Sanitary sewer system spills and overflows that enter the storm sewer system would ultimately discharge to the Passaic River.

Residential Complaints / Collection System Insurance:

19. According to Borough representatives, the Borough responds to residential complaints regarding sewage backups by first checking manholes in the sewer main line to determine the location of the blockage. If the blockage is in the sewer lateral, the Borough would suggest to the homeowner that they get a plumber. According to Borough representatives, residential complaint responses are not documented and there is no written procedure for responding to residential complaints.
20. According to Borough representatives, the Borough maintains insurance for the collection system.
21. The Borough representatives were unaware of any insurance claims made or paid as a result of SSOs or spills to affected property owners in the past five (5) years.

Collection System Maintenance:

22. At the time of the inspection, the Borough did not have a written Operation and Maintenance (O&M) Plan for the collection system.
23. At the time of the inspection, Borough representatives were unaware of an Ordinance which establishes requirements for grease, oil and sand interceptor requirements for discharges to the sanitary sewers. In addition, EPA was unable to locate Local Laws/Ordinances on the Borough's website or in the eCode360 database for the Borough.
24. According to Borough representatives, the Borough does not own equipment for collection system maintenance and relies on a contractor, Able Tex Co. to conduct maintenance.
25. The Borough does not have a preventative maintenance program. According to Borough representatives, the Borough only cleans the SSS when a complaint is received.
26. According to Borough representatives, the Borough has not sent monthly operational reports summarizing all events described in N.J.A.C. 7:10A-1.12(b) and the remedial action taken to PVSC.

Inflow and Infiltration (I/I):

27. At the time of the inspection, Borough representatives were unaware of an Ordinance which prohibits inflow to the sanitary sewer, including any groundwater, roof runoff and

subsurface drainage. In addition, EPA was unable to locate Local Laws/Ordinances on the Borough's website or in the eCode360 database for the Borough.

28. According to Borough representatives and documentation provided to EPA by PVSC, PVSC conducted an I/I study of the Borough's SSS in 1976. The infiltration analysis of the report identified that there were 42 MG/year of infiltration into the Borough's SSS. Borough representatives were not aware of any specific I/I related investigations or corrective actions taken since this 1976 report.
29. According to Borough representatives, manhole inserts have been installed along Belle Avenue and at Hopper and Fairview to address odors and not for the purposes of addressing I/I. According to Borough representatives, the Borough does not experience flooding that would result in I/I to the SSS.
30. According to flow records provided by PVSC to EPA, the Borough averaged approximately 0.48 MGD between October 2014 and September 2015. According to these flow records, the Borough's peak flow in 2015 was an average of 0.81 MGD during the week ending on May 20, 2015. According to historical rain data, on May 20, 2015 a 0.53 inch rain event occurred.

Municipal Separate Storm Sewer System (MS4):

31. According to Borough representatives, the Borough's MS4 consists of approximately 220 catch basins which are maintained by the Department of Public Works while the Engineering Department conducts the MS4 outfall inspections.

II. Summary

Based on the information provided during the SSS CEI, the Borough of Prospect Park SSS has not experienced any Sanitary Sewer Overflows (SSOs) or spills in the collection system that resulted in a discharge to a waterbody in the past five (5) years. However, at the time of the inspection, EPA identified Potential Non-Compliance with the New Jersey Administrative Code (N.J.A.C.) requirements and Areas of Concern / Recommendations, see below for more details.

1. POTENTIAL N.J.A.C. NON-COMPLIANCE

At the time of the inspection, the Borough of Prospect Park and the Licensed Operator were unable to provide documentation demonstrating that the following N.J.A.C. requirements have been met by the Licensed Operator representing the Borough:

- a. The Borough of Prospect Park does not have an Operation and Maintenance (O&M) Plan for the collection system. The Borough's Licensed Operator is required by N.J.A.C. 7:10A-1.12(a)1 to develop and implement O&M procedures as required for the collection system, which should include at a minimum the following items:
 - i. Routine maintenance procedures;
 - ii. Proper operation techniques for the SSS;

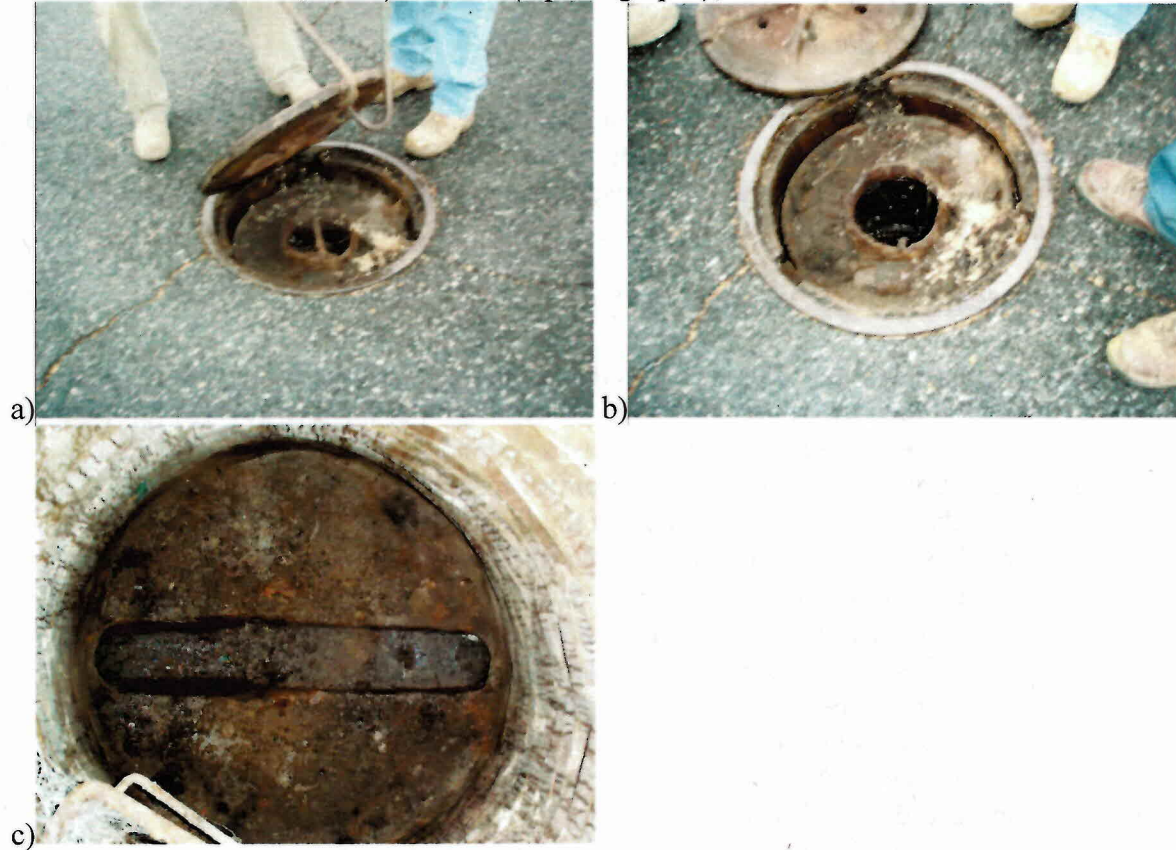
- iii. Emergency Plan and Vulnerability Assessment;
 - iv. Preventative maintenance problem areas;
 - v. Available equipment and equipment access through a contractor;
 - vi. Responding to and reporting SSOs;
 - vii. Fats, Oils and Grease program; and
 - viii. Inspections and documentation.
- b. Monthly operational reports summarizing all events described in N.J.A.C. 7:10A-1.12(b) and the remedial action taken have not been sent to PVSC regarding the Borough of Prospect Park's SSS. The Borough's Licensed Operator must submit monthly reports to PVSC as required by N.J.A.C. 7:10A-1.12(b).

2. AREAS OF CONCERN / RECOMMENDATIONS

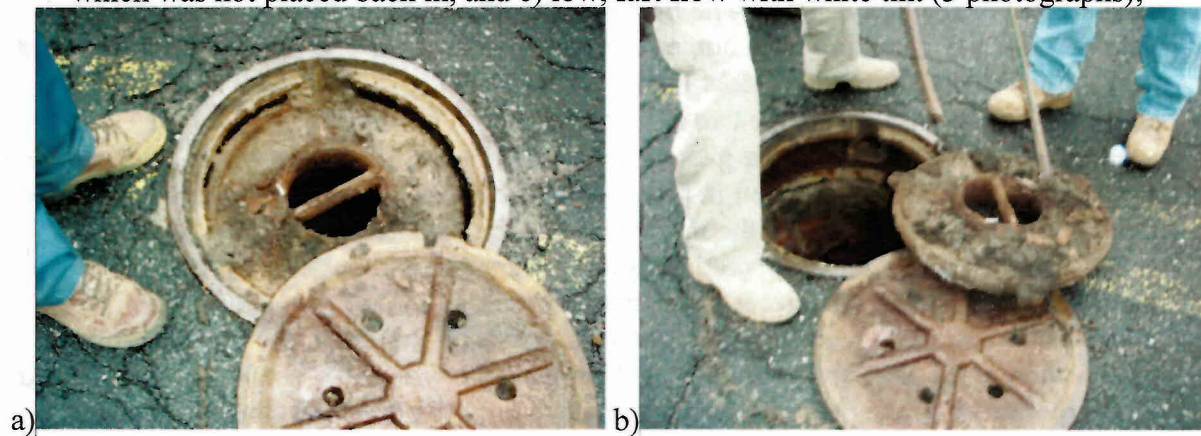
- a. The Borough appears to be understaffed as the Sanitary Sewer System is being operated and maintained by the Department of Public Works which consists of two (2) full time employees who also oversee a multitude of tasks beyond the sanitary sewers. The Borough should reevaluate staffing and equipment resources subsequent to the development of the O&M Plan to ensure that the O&M Plan is fully implemented.
- b. The Borough relies on original drawings of the SSS on transparent plastic dated January 1944. The Borough should consider updating and digitizing maps of the SSS to properly and more effectively operate and maintain the system.
- c. At the time of the inspection, Borough representatives were unaware of a Borough Ordinance which prohibits inflow to the sanitary sewer and of an Ordinance which establishes requirements for fats, oil and grease discharges to the sanitary sewer. Please locate and submit a copy of these ordinances to the EPA.
- d. Based on flow records with higher wet weather flows compared to dry weather and the infiltration analysis conducted in 1976, there appear to be sources of Inflow and Infiltration (I/I) into the Borough's SSS. In addition, because of the age of the system and the clay construction, it is likely that the condition of the SSS has further deteriorated since the last evaluation in 1976. The Borough should consider routinely evaluating its system to identify and eliminate sources of I/I into the system. The process for this should be described in the Borough's O&M Plan.
- e. At the time of the inspection, the two (2) manholes EPA observed contained rusted and deteriorated metal inserts, see the photographs in III.1 and III.2 of this report. The handle on one insert broke off so was left in place while the other insert was completely removed from the manhole at the time of the inspection due to its condition. These deteriorated manhole inserts are no longer operating as designed and could potentially result in sanitary sewage backups as pieces of the rusted inserts fall into the manhole. The Borough should routinely evaluate the condition of manholes and these manhole inserts system-wide as these inserts will continue to deteriorate without intervention. This should be incorporated into the preventative maintenance program to be developed by the Borough in its O&M Plan.

III. Field Work

1. Manhole at 17 N. 17th Street with a) deteriorated, rusted insert, b) lid broke off rusted insert so did not remove, and c) no flow (3 photographs);



2. Manhole at 48 Brown Avenue with a) deteriorated, rusted insert, b) removed rusted insert which was not placed back in, and c) low, fast flow with white tint (3 photographs);





c)

